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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,715	06/01/2001	Thomas James Dubil	US 018067	4254

7590 12/23/2003

Corporate Patent Counsel  
U.S. Philips Corporation  
580 White Plains Road  
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EXAMINER
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ZHOU, TING

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 12/23/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/872,715

Applicant(s)

DUBIL ET AL.

Examiner

Ting Zhou

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Note reference character "300" in Figure 3.

2. Applicant is required to submit a proposed drawing correction of the above noted deficiencies (preferably in red ink) in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

### ***Specification***

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should

include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

The abstract is objected to because the sentence on lines 4-5 refers to speculative applications of the invention.

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The abstract is objected to as being too short in length; it is not adequately descriptive to convey the whole invention.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujii U.S. Patent 6,229,532.

Referring to claim 1, Fujii teaches a remote control apparatus (column 3, lines 41 and Figure 1(b)). Specifically, Fujii teaches a user interface to enable the retrieval of an electronic document (web site associated with selectable combinations of URLs) from a data network, the apparatus being programmable with the URL of the document, as recited in column 2, lines 1-26 and column 3, lines 55-67.

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Referring to claim 2, Fujii teaches the user interface comprising a button ("URL" button shown by reference character "134" in Figure 1(b)) for initiating the retrieval of the electronic document, as recited in column 3, lines 41-49.

Referring to claim 3, Fujii teaches verifying the programming of the URL by a visual feedback mechanism via highlighting the current cursor position of the programmed URL field (column 5, lines 38-42 and lines 58-61).

Referring to claim 4, Fujii teaches a data processing system for access to a data network comprising a piece of equipment with network access and a remote control apparatus (shown in Figure 1(a)) to initiate accessing a document (web site) on the network with a predetermined URL upon user request, wherein the URL is programmed and stored on the piece of equipment (column 3, lines 55-67, column 4, lines 21-27 and column 6, lines 50-67).

Referring to claim 5, Fujii teaches user interaction (user input) with the set-top box (STB) to enter the predetermined URL, as recited in column 7, lines 43-46.

Referring to claim 6, Fujii teaches third party interaction with the STB based on user-profile (user preferences), as recited in column 6, lines 50-67 and continuing onto column 7, lines 1-5.

Referring to claim 7, Fujii teaches software residing on a remote control apparatus (user interface on a set-top box) wherein the software (interface) allows the selection of at least one URL with a shortcut key ("URL" button) and wherein the URL is programmable, as recited in column 3, lines 55-67 and column 4, lines 41-44.

Referring to claim 8, Fujii teaches a client-server configuration wherein the server (reference character "110" in Figure 1(a)) provides user-access to a list of information

items (fields of URLs) (column 3, lines 62-66) and the client (user) is enabled to interact with the server and make selections wherein the selections are programmable on at least one button of a client interface, as recited in column 3, lines 55-67 and continuing onto column 4, lines 1-2. Furthermore, Fujii teaches the client interface (user interface) comprising network access to the server through the communication line shown in Figure 1 and at least one button ("URL button") programmable to initiate accessing a document on the network with a pre-determined URL upon user selection and wherein the pre-determined URL is stored within the server as recited in column 2, lines 1-26 and column 3, lines 41-49).

Referring to claim 9, Fujii teaches a remote control device (Figure 1(b)) having access to a data network, the remote control having a programmable user interface to command a piece of equipment to retrieve a document (web site) on the data network via a URL (column 2, lines 1-26 and Figure 1(a)).

Referring to claim 10, Fujii teaches a piece of equipment linked to a data network, the piece of equipment programmable to retrieve a document from the network via a URL upon receipt of a command from a remote control device having a user interface (column 2, lines 1-26 and Figure 1(a)).

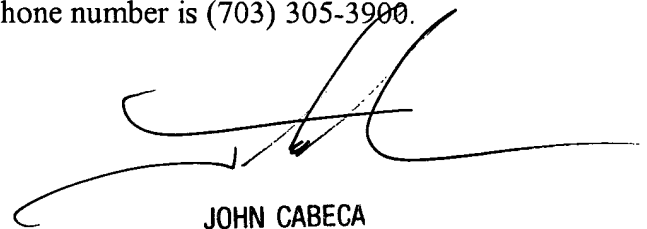
6. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach electronic books with similar mechanisms for note taking and retrieval.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 7:00am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

December 4, 2003

A handwritten signature in black ink, appearing to read 'John Cabeca', with a long horizontal flourish extending to the right.

JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100